

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****DECLARATION UNDER 37 C.F.R. § 1.131**

1. The following declaration is directed to establishing the date of the invention claimed in U.S. Patent Application No. 09/881142, filed June 14, 2001.
2. I, Eric M. Nelson, am a partner at the law firm Knobbe Martens Olson and Bear. I am also a registered patent attorney and was responsible for preparing and filing the above-referenced patent application.
3. To my knowledge, Paul M. Thomsen is the sole inventor of the claims in the above-referenced application.
4. From at least September 6, 2000 up until December 1, 2000, in this country I, and/or, on information and belief, Paul Thomsen, actively worked in the normal course of managing our workload to prepare and file the above-referenced application.
  - During the period from September 6, 2000 to September 29, 2000 I scheduled and prepared for an invention disclosure meeting with Paul Thomsen.
  - On September 29, 2000 I attended an invention disclosure meeting with Joseph Smallwood, Corporate Counsel for Hitachi Home Electronics and Paul M. Thomsen. I also received instruction to perform a patentability search.
  - During the period from September 29, 2000 to October 18, 2000, during the normal course of managing my docket, I conducted a patentability search for the invention, drafted a report of the search and sent the report to Joseph Smallwood and Paul Thomsen.
  - During the period from October 18, 2000 to November 12, 2000, on information and belief, Paul Thomsen received and during the normal course of managing his workload reviewed a patentability search report from myself. Paul Thomsen also prepared a proposal and amendment for sending to myself for my use in preparing a provisional application.
  - On November 12, 2000, I received an Invention Disclosure Form providing a proposal of the invention and an amendment from Paul Thomsen.
  - During the period between November 12, 2000 and November 27, 2000 in the normal course of managing my docket, I developed and produced a draft of the provisional application, describing the presently claimed invention.

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- On November 27, 2000, I provided the provisional application draft to Paul Thomsen and to Joseph Smallwood for their review.
- On November 28, 2000, I conferred with Paul Thomsen regarding the November 27, 2000 draft.
- During the period between November 28, 2000 and December 1, 2000, in the normal course of managing my docket I revised the November 27, 2000 draft according to comments received during the November 28, 2000 conference.
- On December 1, 2000, I filed U.S. provisional application No. 60/250,835, entitled "System and Method for Selecting Text on Television Display." The '835 application is the priority application for the '142 application.

Penalty of Perjury Statement

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 10001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or document or any patent resulting therefrom.

Dated: February 7, 2006

By: 

Eric M. Nelson, Esq.

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